

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DWAYNE D. WALKER, JR.,

Plaintiff,

vs.

SHAWN CARTER (“JAY-Z”), DAMON
“DAME” DASH, KAREEM “BIGGS” BURKE,
UNIVERSAL MUSIC GROUP, INC., ISLAND
DEF JAM MUSIC GROUP, ROC-A-FELLA
RECORDS, LLC,

Defendants.
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No. 12-cv-5384 (ALC)(RLE)

**DECLARATION OF
CYNTHIA S. ARATO**

CYNTHIA S. ARATO, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am an attorney duly admitted to practice in the Courts of the State of New York and this Court, and I am a member of the firm Shapiro, Arato & Isserles, LLP, attorneys for Defendants Shawn Carter, UMG Recordings, Inc., The Island Def Jam Music Group, a division of UMG Recordings, Inc., and Roc-A-Fella Records, LLC (collectively the “UMG Defendants”) in the above-captioned matter.

2. I submit this declaration in support of the UMG Defendants’ motions to dismiss and strike.

3. Attached as Exhibit A hereto is a true and correct copy of Registration No. 2,310,169 for the Roc-A-Fella Records trademark and service mark as listed on the Principal Register of the United States Patent and Trademark Office.

4. Attached as Exhibit B hereto is a true and correct copy of the United States Copyright Office’s record of Plaintiff Dwayne D. Walker, Jr.’s copyright registration,

VAu001040257, as retrieved on December 9, 2013 from the Public Catalog of the United States Copyright Office, cocatalog.loc.gov.

5. Attached as Exhibit C hereto is a true and correct copy of an article titled “FLY MC” referring to Plaintiff Dwayne D. Walker, Jr., as published in the September 2000 issue of XXL Magazine and which is referenced in paragraph 67 of the Second Amended Complaint.

6. Attached as Exhibit D hereto is a copy of the Second Amended Complaint in which the allegations that are subject to the UMG Defendants’ motion to strike are highlighted.

Executed in New York, New York
December 9, 2013

s/ Cynthia S. Arato
CYNTHIA S. ARATO